IN THE CLAIMS

Please cancel claims 2-3; add claim 21; and amend claims 1, 8, 11, 12, 14-18 and 20 as follows:

1. (Currently amended) : A pitch dynamics device comprising:

a pinch plate, said pinch plate is movably attached to a pitching machine; and

a positioning actuator operationally connected with said pinch plate, said positioning actuator positions said pinch plate effectuating control of the pitch dynamics of a pitched ball from said pitching machine, ~~said positioning actuator in part enables the selection between fast-speed pitch dynamics and off-speed pitch dynamics of said pitched ball thrown from said pitching machine~~ while maintaining said pitched ball accuracy, without changing said pitching machine pitching wheel speed~~.~~, said positioning actuator positions said pinch plate in at least one of the following positions:

in a mostly horizontal position, at a minimum distance from said pitching machine pitching wheel, effectuating the throwing of said pitched ball with fast-speed pitch dynamics; or

in an angled position, slowing pitch speed by decreasing the amount of pinch between said pinch plate and said pitching machine pitching wheel and moving the pitch release point to an elevated trajectory, effectuating the throwing of said pitched ball with off-speed pitch dynamics.

2. (Canceled) :

3. (Canceled) :

4. (Original) : The pitch dynamics device in accordance with claim 1, wherein said positioning actuator is at least one of the following:

i) a pinch plate support leg;
ii) a handle;
iii) a handle support;
iv) a pinch plate support;
v) a knob;
vi) a plurality of locking pegs;
vii) a cam; or
viii) a solenoid.

5. (Original) : The pitch dynamics device in accordance with claim 4, wherein said pinch plate support leg further having a slot, said slot controlling the range of motion of said pinch plate support leg and the positioning of said pinch plate.

6. (Original) : The pitch dynamics device in accordance with claim 4, wherein said pitch dynamics device includes at least two of said pinch plate support leg, a first said pinch plate support leg having a slot of length approximately three-quarters of an inch, and a second said pinch plate support leg having a slot of length approximately one-half of an inch, said first said pinch plate support leg and said second said pinch plate support leg control the positioning and angle of said pinch plate.

7. (Original) : The pitch dynamics device in accordance with claim 1, further comprising:

a control system interconnect with said pitch dynamics device.

8. (Currently amended) : The pitch dynamics device in accordance with claim 7, wherein said control system having a microcontroller further comprises:

a position control interface, interconnected with said microcontroller, said position control interface is operationally connected with said positioning actuator, said positioning actuator is operationally connected with said pinch plate, said position control interface effectuates positioning control of said pinch plate by way of said positioning actuator.

9. (Original) : The pitch dynamics device in accordance with claim 7, wherein said control system includes a hit pitch detector.

10. (Original) : The pitch dynamics device in accordance with claim 9, wherein said hit pitch detector utilizes at least one of the following methods to detect whether said pitched ball was hit:

i) acoustical detection;
ii) electronic detection; or
iii) optical detection.

11. (Currently amended) : The pitch dynamics device in accordance with claim 7, wherein said control system effectuates a pitch routine ~~that determines the type of pitch to throw and effectuates positioning control of said pinch plate by way of said positioning actuator~~.

12. (Currently amended) : The pitch dynamics device in accordance with claim ~~11~~ 7, wherein said control system includes a hit pitch detector~~, said hit pitch detector determines if a batter hit said pitched ball, said control system based in part on said hit pitch detector determination, implements by way of said pitch routine the type of pitch to throw and effectuates positioning control of said pinch plate by way of said positioning actuator~~.

13. (Original) : The pitch dynamics device in accordance with claim 7, wherein said control system includes a plurality of data communication interfaces.

14. (Currently amended) : The pitch dynamics device in accordance with claim 13, wherein said data communication interfaces include at least one of the following:

i) a keypad;
ii) a touch pad;
iii) a display;
iv) an IRDA interface;
v) a plurality of general purpose input and or outputs;
vi) a wired interface;
vii) a wireless interface;
viii) an RS232 interface;
ix) an RS485 interface;
x) a USB interface;
xi) a user interface;
xii) an audio interface;
xiii) a printer interface;

xiv) a serial communication interface;

xv) LAN;

xvi) WAN;

xvii) TCP/IP;

xviii) ETHERNET;

xix) FIREWIRE;

xx) WIRELESS APPLICATION PROTOCOL;

xxi) WI-FI;

xxii) BLUETOOTH;

xxiii) WCDMA;

xxiv) IRDA;

xxv) GSM;

xxvi) PCS;

xxvii) GPRS;

xxviii) 1XRT;

xxix) CDMA;

xxx) CDMA 2000;

xxxi) WCDMA;

xxxii) CDPD;

xxxiii) TDMA;

xxxiv) 2G type compliant;

xxxv) 2.5G type compliant;

xxxvi) 3G type compliant;

xxxvii) 4G type compliant;

xxxviii) spread spectrum;

xxxix) a single frequency transceiver;

xl) a dual frequency transceiver;

~~xli) INTEL PRO/WIRELESS 5000 LAN;~~

~~xlii)~~ xli) IEEE 802.11;

~~xliii)~~ xlii) IEEE 802.11A;

~~xliv)~~ xliii) IEEE 802.11B; or

~~xlv)~~ xliv) IEEE 802.11G.

15. (Currently amended) : The pitch dynamics device in accordance with claim 1, wherein said pitch dynamics device further comprises a brush attachment interconnect with said pitch dynamics device or said pitching machine~~, said brush attachment disguises the position of said pinch plate and thus disguises the pitch dynamics of said pitched ball to be thrown from said pitching machine~~.

16. (Currently amended) : The pitch dynamics device in accordance with claim 7, further comprising:

a tree light interconnected with said control system~~, said tree light indicates at least one of the following conditions:~~

~~i) said pitching machine is preparing to throw said pitched ball;~~

~~ii) said pitching machine has thrown said pitched ball; or~~

~~iii) a batter should swing at said pitched ball~~.

17. (Currently amended) : A method of utilizing a pitch dynamics device to change pitch dynamics of pitching machine ~~thrown~~ pitched balls, said method comprising:

a) loosening a pinch plate, said pinch plate being movable attached to a pitching machine;

b) aligning selectively said pinch plate, by way of a positioning actuator, said pinch plate effectuates control of the pitch dynamics of a pitched ball from said pitching machine, while maintaining said pitched ball accuracy, without changing said pitching machine pitching wheel speed, said positioning actuator being operationally connected with said pinch plate, said pinch plate being aligned in at least one of the following positions:

i) in a mostly horizontal position at a ~~max~~minimum distance from said pitching machine pitching wheel causing said pitching machine to throw said pitched ball with fast-speed pitch dynamics; or

ii) in an angled position slowing pitch speed by ~~in~~decreasing the amount of pinch between said pinch plate and said pitching machine pitching wheel and moving the pitch release point to an elevated trajectory causing said pitching machine to throw said pitched ball with off-speed pitch dynamics; and

c) securing said pinch plate in preparation of throwing said pitched ball.

18. (Currently amended) : A method of utilizing a pitch dynamics device effectuated pitching routine to control the pitch dynamics of pitched balls, said method comprising:

a) positioning initially by way of a control system a pinch plate, said pinch plate controls the pitch dynamics of a pitch to be thrown from a pitching machine to a batter, said control system being interconnected with said pitch dynamics device;

b) throwing said pitch from said pitching machine;

c) selecting the pitch dynamics of the next said pitch based in part on a pitch routine executed by said control system or selectively based in part on operator input; and

d) repositioning by way of said control system said pinch plate effectuating control of the pitch dynamics of the next said pitch to be thrown from said pitching machine to said batter; and

e) returning selectively to step 'b'.

19. (Original) : The method in accordance with claim 18, wherein selecting the pitch dynamics in step 'c' includes selecting the pitch dynamics based in part on at least one of the following:

i) data communication with a wireless device;
ii) data communication with a wired device;
iii) a preprogrammed pitch routine;
iv) by pseudo random pitch selection;
v) by random pitch selection; or
vi) by utilization of a hit pitch detector.

20. (Currently amended) : A method of utilizing a pitch dynamics device having hit pitch detection to control the pitch dynamics of pitched balls, said method comprising:

a) positioning initially by way of a control system a pinch plate, said pinch plate controls the pitch dynamics of a pitch to be thrown from a pitching machine to a batter, said control system is interconnected with said pitch dynamics device;

b) throwing said pitch from said pitching machine;

c) determining if said batter hit said pitch by way of a hit pitch detector, said hit pitch detector is interconnected with said control system;

d) determining by way of said control system said batter performance based in part on the determination made in step 'c';

e) selecting the pitch dynamics of the next said pitch based in part on said batter performance determined in step 'd';

f) repositioning by way of said control system said pinch plate effectuating control of the pitch dynamics of the next said pitch to be thrown from said pitching machine to said batter; and

g) returning selectively to step 'b'.

21. (New) : The pitch dynamics device in accordance with claim 16, wherein said tree light indicates at least one of the following conditions:

i) said pitching machine is preparing to throw said pitched ball;
ii) said pitching machine has thrown said pitched ball; or
iii) a batter should swing at said pitched ball.

IN THE DRAWINGS

Please amend the drawings as follows:

ITEM #1:

Replace Figures 1F and 1G (both Figures are on 1 sheet of drawings) shown below with proposed changes indicated in red ink. A replacement formal sheet of drawings Figures 1F and 1G accompany this response. (Annotated Marked-Up Drawing shown below)

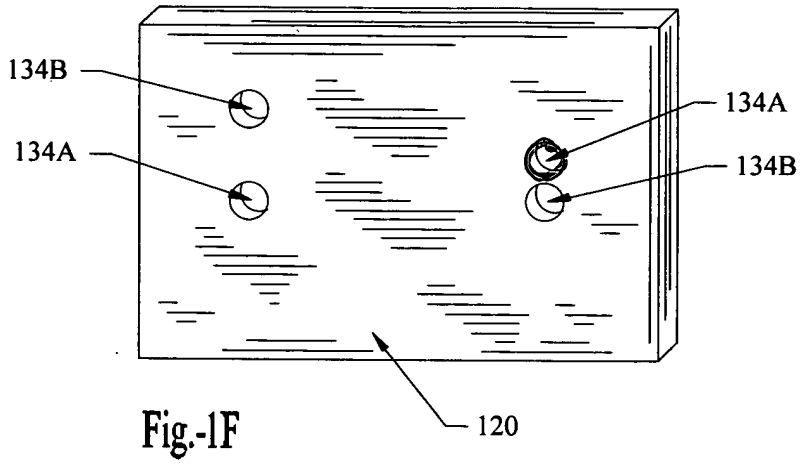

Fig.-1F

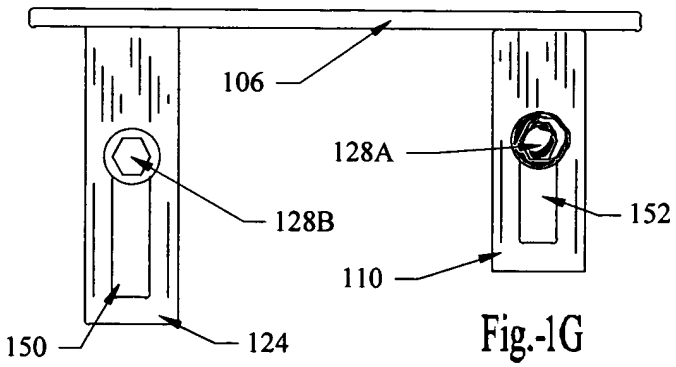

Fig.-1G

ITEM #2

Replace Figures 1H and 1I (both Figures are on 1 sheet of drawings) shown below with proposed changes indicated in red ink. A replacement formal sheet of drawings Figures 1H and 1I accompany this response. (Annotated Marked-Up Drawing shown below)

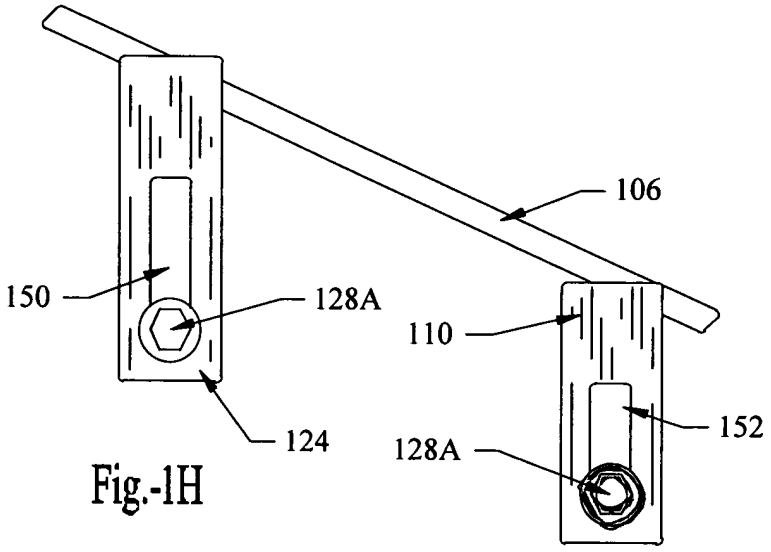

Fig.-1H

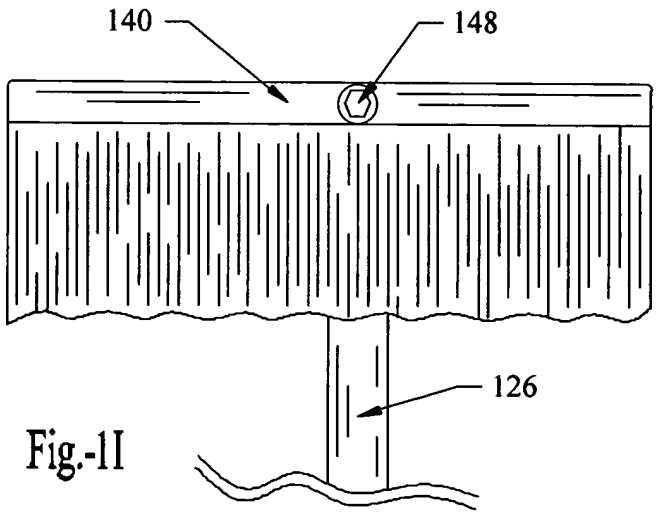

Fig.-1I